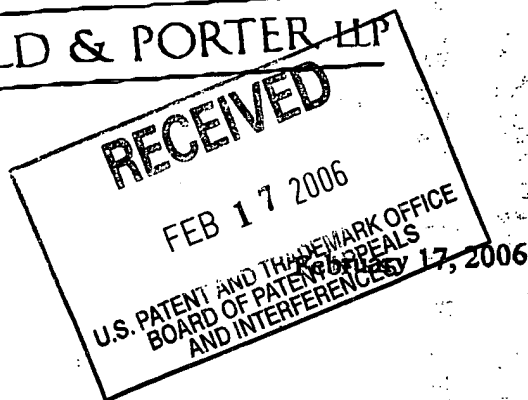


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Board of Patent Appeals and Interferences  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

VIA FACSIMILE

Art Unit: 1634  
Examiner: J.S. Sitton  
Confirmation No. 8378

Re: U.S. Patent Application Serial No. 09/667,188 filed September 21, 2000  
Inventors: Scott E. ANDERSEN *et al.*  
Title: Nucleic Acid Molecules and Other Molecules Associated with Plants  
Atty. Dkt.: 16517.293 (38-21(51464)B/US)

Sir:

Transmitted herewith for appropriate action by the Board of Patent Appeals and Interferences is a Request for Entry of Amendment filed February 13, 2006, and Express Abandonment under 37 C.F.R. § 1.138(a).

In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned. Appellants do not believe any fees are due in conjunction with this filing. However, if any fees under 37 C.F.R. § 1.16 or § 1.17 are required in the present application, including any fees for extensions of time, then the Commissioner is hereby authorized to charge such fees to Arnold & Porter LLP Deposit Account No. 50-2387, referencing docketing number 16517.293.

Sincerely,

Thomas E. Holsten (Reg. No. 46,098)  
David R. Marsh (Reg. No. 41,408)

Attachment

I hereby certify that this transmittal and the attached Request for Entry or Amendment filed February 13, 2006, and Express Abandonment under 37 C.F.R. § 1.138(a) are being facsimile transmitted to the BPAI (attention Dianne Maggarity) via facsimile number 571-273-0299.

Thomas E. Holsten (Reg. No. 46,098)

February 17, 2006  
Date

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Scott E. ANDERSEN *et al.*

Appln. No.: 09/667,188

Filed: September 21, 2000

For: Nucleic Acid Molecules and Other Molecules Associated with Plants

Confirmation No.: 8378

Art Unit: 1634

Examiner: J.S. Sitton

Atty. Docket: 16517.293

Request for Entry of Amendment filed February 13, 2006, and  
Express Abandonment Under 37 C.F.R. § 1.138(a)Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

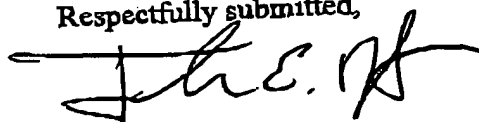
Sir:

Applicants respectfully request that the Amendment filed February 13, 2006, be entered and that, upon entry of that Amendment, U.S. Application Serial No. 09/667,188 be expressly abandoned under 37 C.F.R. § 1.138(a).

Applicants note that a continuation application based on the above-identified application was filed on February 13, 2006.

Should the Commissioner require additional information, he is invited to contact the undersigned at the number provided below. The undersigned is an attorney of record and therefore has authority to expressly abandon the above-captioned U.S. application.

Respectfully submitted,



Filed: February 17, 2006

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I hereby certify that this transmittal and the attached Request for Entry of Amendment filed February 13, 2006, and Express Abandonment under 37 C.F.R. § 1.138(a) are being facsimile transmitted to the BPAI (attention Dianne Maggard) via facsimile number 571-273-0299.

  
Thomas E. Holsten (Reg. No. 46,098)February 17, 2006  
Date

## ARNOLD &amp; PORTER LLP

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## Fax Transmittal

February 17, 2006

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U.S. PATENT AND TRADEMARK OFFICE  
BOARD OF PATENT APPEALS  
AND INTERFERENCES

## RECIPIENT NAME(S)

Board of Patent Appeals and Interferences  
Attn: Dianne MaggardRECIPIENT  
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## SENDER

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## MESSAGE

Re: U.S. Patent Appln. Ser. No. 09/667,188 filed September 21, 2000  
Title: Nucleic Acid Molecules and Other Molecules Associated with Plants  
Inventors: Scott E. ANDERSEN *et al.*  
Atty. Docket: 16517.293

Conf. No.: 8378

Please see the attached Request for Entry of Amendment filed February 13, 2006,  
and Express Abandonment under 37 CFR § 1.138(a) for the above-identified application.

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